

SENATE BILL 1036

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 50,
Chapter 1, relative to organization fees and dues.

WHEREAS, the state of Tennessee is a right to work state; and

WHEREAS, Tennessee's right to work laws are premised on the belief that employees should be permitted to decide for themselves whether or not to join or financially support a union or employee organization; and

WHEREAS, in 1998, the U.S. Supreme Court decided the landmark case, *Communication Workers v. Beck*, which established the rights of employees working under union contracts to pay only those union dues or fees necessary for performance of a union's employee representation duties; and

WHEREAS, pursuant to the decision in *Beck*, fees to support union expenditures unrelated to workplace representation, such as political, social, or charitable contributions, are not mandatory; and

WHEREAS, paycheck protection laws allow union workers to make their own political, social, and moral choices about how their dues are spent, without having to sacrifice their economic interests as union members; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, is amended by adding the following language as a new part 7:

50-1-701.

A labor or employee organization accepting payment of any dues or fees from an employee as a condition of employment pursuant to an agreement authorized by law must annually secure from each employee prior, voluntary, and

written authorization for any portion of such dues or fees which will be used by the labor or employee organization for activities not necessary to collective bargaining, contract administration, and grievance adjustment.

50-1-702.

When an employee requests a written record of a labor or employee organization's expenditures, the labor or employee organization shall account for and report fees and expenses in such detail as necessary to allow employees to determine the proportionate costs of collective bargaining, contract administration, and grievance adjustment, and the costs of other activities.

50-1-703.

At any time an employee may submit notice to the employee's labor or employee organization that they wish to only pay the employee's provision of mandatory dues for collective bargaining, contract administration, and grievance adjustment.

50-1-704.

Sections 50-1-701 - 50-1-703 shall apply to both public and private labor or employee organizations.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.